

PATENT APPLICATION  
Attorney Docket No.: TRV03-0001-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF )  
Dennis R. Berman ) Examiner: Lee, Benjamin William  
Application No.: 10/815,341 ) Group Art Unit: 3714  
Filing Date: March 31, 2004 ) Confirmation Number: 8341  
Title: METHODS OF SELECTING LOCK-IN TRAINING )  
COURSES AND SESSIONS )

SUBMITTAL OF MATERIALS FROM CO-PENDING APPLICATIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Recently, the Federal Circuit, in *McKesson Information Solutions, Inc., v. Bridge Medical, Inc.* (2005-1517) affirmed a District Court's determination that a patent was unenforceable due to inequitable conduct. The inequitable conduct was based upon a patent attorney's nondisclosure of office actions from co-pending applications.

In light of *McKesson*, I have attached an office action from a co-pending application of the present application. You may or may not find this office action to be material to the present application.

Respectfully submitted,

Hoyt A. Fleming III  
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Date: November 14, 2007

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